

## Message

**From:** Pierard, Kevin [pierard.kevin@epa.gov]  
**Sent:** 2/27/2015 2:13:52 PM  
**To:** McKim, Krista [mckim.krista@epa.gov]; Kuefler, Patrick [kuefler.patrick@epa.gov]  
**Subject:** FW: Cliffs spills 144000 gallons seep water into Embarrass River watershed

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**From:** Margaret Watkins [mailto:mwatkins@grandportage.com]  
**Sent:** Friday, February 27, 2015 7:35 AM  
**To:** Thomas, John (MPCA); nancyschuldt@fdlrez.com; Pierard, Kevin; Beese, Jennifer  
**Cc:** Scheirer, Paul (MPCA); Moon, Kenneth (MPCA)  
**Subject:** Re: Cliffs spills 144000 gallons seep water into Embarrass River watershed

Thank you, John. Yes, it would be very helpful if you could request monitoring results earlier than the February DMR.

Margaret

On 2/26/2015 4:20 PM, Thomas, John (MPCA) wrote:

Margaret - per your e-mail to me of today regarding the above Duty Officer Report from 2/16.

The following is from an e-mail I received on 2/16 - the e-mail was sent by Cliffs Erie staff (Andrea Hayden) and contained the following description of the incident from their consultant:

"At 10:15 a.m. on February 16, 2015, Mr. Kevin Pylka telephoned and reported that a release had occurred from the surface seepage collection system located upstream of Hoyt Lakes Mine Area monitoring station SD-026. Mr. Pylka reported that the pumps to de-water the seep containment vault had failed to start and seep water had overflowed into the 026 drainage. Because Mr. Pylka was involved in off-site meetings in St. Paul, he asked that NTS follow-up on this issue. Ms. Andrea Hayden, Mr. Craig Hartmann and I conferenced with Mr. Dave Hughes (PolyMet Operations Mgr.) to better understand what had happened and at 12:05 p.m. reported the release to the MN Duty Officer. Duty officer #33 (Lori) received the call (Report No. 148048) - an estimated maximum volume (not to exceed volume) of 144,000 gallons was released based on the system being off-line for 8 hrs. x 60 min/hr. x 300 gal./min flow. Because of the distance (≈1000 ft.) and structure (i.e. old beaver dams, woo! debris, ice and snow cover) between the location of the release and the nearest downstream monitoring station SD-026, an increased flow volume was not apparent at station SD-026. However, to best evaluate effects of the release, flow was measured and water sampled per NPDES permit-monitoring requirements for February at SD-026. The release/flow was corrected upon discovery, samples and field observations of downstream impacts at SD-026 were assessed."

I spoke to the Andreas Hayden that same date at about 3:20 pm to confirm the above information from their consultant.

This pump back system was established in response to the Consent Decree between MPCA and Cliffs Erie, to deal with effluent quality issues associated with SD026 within the mine area permit (former LTV mine, now closed). SD026 is located downstream of the now closed tailings basin and was established

in-part due seeps at the toe of the tailings basin dike. This discharge forms the headwaters of Second Creek which flows southwest to the Partridge River. The Consent Decree required that they establish a collection and pump back system for the seep to reduce the load of pollutants associated with the seep from the closed tailings basin seen downstream at SD026.

On February 16 I had questions of the company regarding response time/reporting time and expect to see a more detailed report on the incident with the February Discharge Monitoring Report. I can also request monitoring results earlier than the February DMR, if you are interested.

Let me know if you have further questions,

Sincerely,

John Thomas  
MPCA - Duluth  
218-302-6616

-----Original Message-----

From: Margaret Watkins [<mailto:mwatkins@grandportage.com>]  
Sent: Thursday, February 26, 2015 8:32 AM  
To: Thomas, John (MPCA); Nancy Schuldt; Kevin Pierard  
Subject: Cliffs spills 144000 gallons seep water into Embarrass River watershed

Good morning:

Please find attached a Duty Officer report from February 16th regarding an estimated 144,000 gallon spill of seepage water into Second Creek. Second Creek is actually part of the Partridge River watershed, not the Embarrass River watershed. Both the Embarrass River and Partridge River are part of the St. Louis River watershed where Fond du Lac is a downstream regulator. The 1854 treaty signed by Grand Portage, Bois Forte and Fond du Lac, includes the St. Louis River watershed.

Upon receipt of the Duty Officer report, I emailed John Thomas, MPCA enforcement, to find out what the source of the spill was. Based on the report, the source looked like it might the old LTV tailings basin? However, I haven't heard from John. The only information I am requesting is the source of the water spilled to estimate the concentrations of contaminants in the water and the load of contaminants flushed downstream. If information regarding the source of the spill cannot be provided, please let me know. Otherwise, please accept my second request for this information.

Sincerely,

Margaret Watkins